Norman C. Kleinberg Theodore V. H. Mayer William J. Beausoleil HUGHES HUBBARD & REED LLP One Battery Park Plaza New York, New York 10004-1482 (212) 837-6000

Attorneys for Defendant Merck & Co., Inc.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE:
Fosamax Products Liability Litigation

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This Document Relates to: : 1:06-md-1789 (JFK)

Brian Hamilton
v. Novartis Pharmaceuticals Corp. and

Merck & Co., Inc.

Case No: 1:07-cv-7278-JFK : Rule 7.1 Statement

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Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned attorneys of record for Defendant Merck & Co., Inc. certify that it has no parent companies and are not aware of any beneficial owner of more than ten percent of its Common Stock.

Dated: New York, New York October 11, 2007

Respectfully submitted,

HUGHES HUBBARD & REED LLP

By: /s/ Norman C. Kleinberg

Theodore V. H. Mayer William J. Beausoleil

One Battery Park Plaza New York, New York 10004-1482 (212) 837-6000 Attorneys for Defendant Merck & Co., Inc.